

**Submission
No 115**

INQUIRY INTO REVIEW OF THE HERITAGE ACT 1977

Organisation: Blue Mountains Association of Cultural Heritage Organisations
Inc

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**BLUE MOUNTAINS ASSOCIATION OF CULTURAL
HERITAGE ORGANISATIONS INCORPORATED**

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Correspondence Secretary: **Jan Koperberg OAM**

2 July 2021

NSW Legislative Assembly Standing Committee on Social Issues

Dear Committee Members,

SUBJECT NSW Heritage Act 1977 – Inquiry and review

Thank you for the opportunity to put forward a submission on the Review of the NSW Heritage Act.

The Heritage Act needs to be robust, comprehensive, and effective. It is recognised that cultural heritage places make a significant contribution to our identity, create a sense of place, and represent the story of the State of NSW, its people, and its shared connections.

These places play an important role in our cultural heritage places and provide interest in domestic and international tourism. Their contribution is vital to a vibrant state economy.

We express concern that a major review of existing historic heritage legislation has been proposed at a time when a twenty-year promise to enact independent Indigenous heritage legislation has not been fulfilled. There is consensus in the cultural heritage community that contemporary legislation to protect and conserve Indigenous Heritage must remain a priority over amending heritage legislation.

We affirm that the *Heritage Act, 1977* is of fundamental importance to identify, protect, promote, and conserve cultural heritage places in NSW and identify the following issues as critical to the success of the Review:

- Proposed amendments should result in better heritage outcomes, rather than weakening heritage protection.
- The role of heritage in society should be explored strategically not legislatively, through a NSW State Heritage Strategy, that sets out the vision, principles and implementation for how it will develop heritage management along the four key principles of ‘knowing, protecting, supporting, and promoting, as outlined in the Blue Mountains Heritage Strategy 2021-2025 <https://www.bmcc.nsw.gov.au/documents/bluemountains-heritage-strategy-2021-2025>].
- The objectives and principles remain appropriate and relevant when there are small updates and amendments to the Heritage Act and its regulations.
- Cultural heritage is at immense risk from State Significant Developments, which effectively turn off and override the provisions of the *Heritage Act, 1977*.
- Heritage NSW can show leadership, effectively identify the State’s heritage places, and manage their sympathetic change by greater resourcing to enable the Act’s effective implementation.
- Heritage is a shared responsibility, involving government at all levels, owners, corporations, and community groups to identify, protect, conserve, present, and transmit the State’s heritage values to future generations.

- Recognised heritage experts and organisational representatives should make the NSW Heritage Council an independent public champion of heritage.
- That State significant places have government agencies who take responsibility for the cultural heritage of State significant places, are exemplary owners and managers of cultural heritage assets and who need to resource their respective heritage maintenance and management role.
- Support for Local Government is vital for adequate identification, protection, and conservation of the State's 40,000+ locally listed heritage places.
- Managing change at cultural heritage places should not introduce further categories of places. The process of identifying and listing cultural heritage places should be separate from the process of managing change.
- That sympathetic re-use of heritage places is not prevented by the Heritage Act. When applied well, it enhances strong economic development and delivers good heritage outcomes.
- It is of importance that owners of heritage places should receive useful advice, effective financial incentives, and adequate conservation grants to ensure well informed ownership of heritage places leads to desirable outcomes.

Thank you once again for the opportunity to provide feedback on the Review of the NSW Heritage Act.

Yours sincerely

Jan Koperberg
Correspondence Secretary